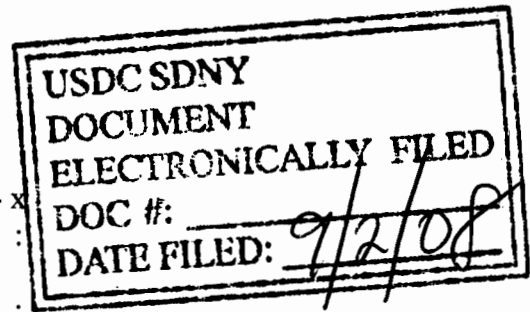


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



325 EAST 72ND STREET CORP.,
315 EAST 72ND STREET OWNERS CORP.,

Plaintiffs,

- against -

UNITED STATES DEPARTMENT OF
TRANSPORTATION, MARY E. PETERS, in
her capacity as Secretary of the United States
Department of Transportation, THE FEDERAL
TRANSIT ADMINISTRATION, JAMES S. SIMPSON,
in his capacity as Administrator of the Federal Transit
Administration, THE METROPOLITAN
TRANSPORTATION AUTHORITY, H. DALE
HEMMERDINGER, in his capacity as Chairman of the
Metropolitan Transportation Authority, THE NEW
YORK CITY TRANSIT AUTHORITY, HOWARD H.
ROBERTS, JR., in his capacity as the President of the
New York City Transit Authority, THE METROPOLITAN:
TRANSPORTATION AUTHORITY CAPITAL
CONSTRUCTION COMPANY,

Defendants.

08 Civ. 1127
(GEL)


ECF Case

NOTICE OF DISMISSAL

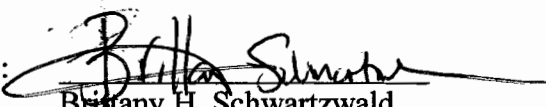
Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the
Plaintiffs hereby voluntarily withdraw and dismiss the above-captioned action. Said withdrawal
is without prejudice pursuant to Rule 41(a)(1)(B) of the Federal Rules of Civil Procedure.

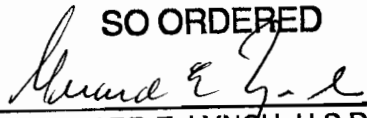
Dated: August 19, 2008
White Plains, New York

ZARIN & STEINMETZ

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By: 
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SO ORDERED

GERARD E. LYNCH, U.S.D.J.
9/2/08